(b) if not, what can be the due device for such accountability and the policy of Government in this regard;

(c) what is the existing system to find out and monitor the evil of corruption prevailing in judiciary; and

(d) whether there has been a survey to ascertain whether corruption in judiciary is on the increase or on the decline?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) Judiciary in India has functioned independently and enjoys public confidence. The complaints regarding corruption in higher judiciary are dealt with by their peers. The Supreme Court in their Full Court meeting held on May 7, 1997, resolved to devise an in-house procedure to take suitable remedial action against Judges who, by their act of omission or commission, do not follow the universally accepted values of judicial life including those indicated in the "Restatement of Values of Judicial Life". Complaints received against the Judges of the Supreme Court and the High Courts are dealt with under "In-House" procedure.

The Government has, however, introduced the Judges (Inquiry) Bill, 2006 in the Lok Sabha on 19.12.2006 which seeks to devise a suitable legislative framework for empowering a judicial forum to deal with the complaints against Judges of the Supreme Court and High Courts.

As far as the District and Subordinate Courts are concerned, the respective High Courts are empowered to take cognizance of complaints against the members of the Subordinate judiciary.

(d) No, Sir.

Recruitment of judges

4066. DR. K. MALAISAMY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether there would be a change from the existing system of direct recruitment of High Court Judges to a better system, based on merit and objectivity, instead of being mostly carried away by the political choice of the ruling State Government, as found at present; and

(b) whether there would not be a tinge of favouritism or tune of partiality in pronouncing verdicts by judges who were so appointed, to the persons or institutions through whom they were appointed?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) Pursuant to the Supreme Court Judgement of October 6, 1993 read with their Advisory Opinion of October 28, 1998, the process of initiation of proposal for appointment of Judges of the Supreme Court lies with the Chief Justice of India and for the High Court, it lies with the Chief Justice of that High Court.

As per the Memorandum of Procedure for appointment of Judges drawn on the basis of the said judgment, Judges are selected keeping in view their educational qualifications, nature and extent of practice, length of the practice the field of specialisation and professional income for the last three years. Besides this, the competence of the person, his judicial potential, temperament and integrity are also kept in mind. All this information, as also other

background information including regarding political affiliations/learnings of the recommendee persons are made available to the Chief Justice of India for consideration by the Supreme Court Collegium. It is the Collegium which considers all the available information on the candidates and forms a view regarding their suitability or otherwise for appointment as Judges of the Supreme Court/High Courts. As per the above judgment of the Supreme Court, the responsibility for selection of candidates for appointment as Judges of Supreme Court and the High Courts lies with the judiciary.

There is no proposal at present before the Government to bring about any change in the present system of appointment of Judges in the Supreme Court and the High Courts.

Number of lawyers

4067. DR. K. MALAISAMY: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the total number of lawyers practising in the country, during the period between 2003 and 2007, State-wise and year-wise;

(b) whether there is an increase in the number of litigations, in proportion to the increase of lawyers; and

(c) what are the major problems of senior and junior lawyers?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) List enclosed as Statement (*See* below).

(b) There is no data available to indicate that docket explosion is in proportion to the increase in number of lawyers.

(c) The Bar Council of India is a statutory body to regulate working of the profession. It is for the Bar Council of India to ameliorate the legal profession to help junior lawyers to overcome their difficulties. The Government is willing to consider any such proposal.

Statement

State-wise and year-wise details of lawyers practising in the country during the period between 2003 *and* 2007

Sl. No.	States	Statement of total number of Advocates enrolled with the State Bar Councils as on				
		31.3.2003	31.3.2004	31.3.2005	31.3.2006	31.3.2007
1	2	3	4	5	6	7
1.	Andhra Pradesh	53,173	58,986	58,986	67,274	67,752
2.	Assam, Nagaland, etc.	8,438	11,725	11,725	11,725	11,725
3.	Bihar	86,462	92,647	92,647	92,647	92,647
4.	Chhattisgarh	11,403	12,617	12,617	14,949	14,949
5.	Delhi	26,150	26,150	26,150	38,549	38,549
6.	Gujarat	41,820	44,858	44,858	47,794	47,794